

PROB 12C  
(SD/FL 9/96)

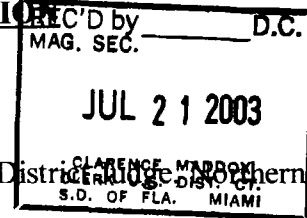
SD/FL PACTS No. 39678

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 01-102-TP-Ungaro-Benages**

**SUPERSEDING**

**PETITION FOR OFFENDER UNDER SUPERVISION**



Name of Offender: Julio Cruz

Name of Sentencing Judicial Officer: The Honorable Clarence Cooper, U.S. District Judge, District of Georgia.

Name of Re-Assigned Judicial Officer: The Honorable Ursula Ungaro-Benages, U.S. District Judge, Southern District of Florida.

Date of Original Sentence: May 23, 1995

Original Offense: Distribution of Cocaine, in violation of Title 21 U.S.C. § 841. A class A felony.

Original Sentence: 136 months in the custody of the Bureau of Prisons, followed by 5 years supervised release, with a special condition to participate in the drug/alcohol treatment program as directed by the U.S. Probation Office, as well as to submit to a search of his person, property or residence and/or vehicle at the request of the probation officer.

Type of Supervision: Supervised Release

Date Supervision Commenced: April 6, 2001

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**PETITIONING THE COURT**

- ☐ To issue a warrant
- ☐ To issue a summons
- ☒ Superseding Petition

The probation officer believes that the offender has violated the following condition(s) of supervision:

A handwritten signature in black ink, appearing to be 'JL' followed by a stylized 'S'.

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<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1.	<b><u>Violation of Mandatory Condition</u></b> , by failing to refrain from violation of the law. On or about September 26, 2001, in Dade County, Florida, the supervised releasee unlawfully obtained a Florida Driver's License under the name of Ricardo Garcia, Date of Birth (DOB) 7/22/65, in violation of Florida Statutes 322.212.
2.	<b><u>Violation of Mandatory Condition</u></b> , by failing to refrain from violation of the law. Since at least April 2003, the supervised releasee used and had in his possession a fraudulent United States Passport, No. 043667569, under the name of Ricardo Garcia, in violation of 18 U.S.C. §§ 1028, 1543, 911 and 1001, a Class C felony.
3.	<b><u>Violation of Standard Condition</u></b> , by failing to submit truthful and complete written monthly report. From approximately September 2001 through June 2003, the supervised releasee's monthly reports contained false information relative to his employment at Medical Dynamics.
4.	<b><u>Violation of Standard Condition</u></b> , by failing to submit truthful and complete written monthly reports. From approximately January 2002 through June 2003, the supervised releasee's monthly reports contained false information relative to his income, including banking information for his company known as Medical Dynamics.
5.	<b><u>Violation of Standard Condition</u></b> , by leaving the judicial district without first securing permission of the probation officer. On or about March 27, 2003, the supervised releasee traveled to Nassau, Bahamas, under the name of Ricardo Garcia, without first securing permission from the Court, as evidenced by U.S. Customs records. The supervised releasee returned to Miami International Airport (MIA) on or about March 31, 2003.
6.	<b><u>Violation of Standard Condition</u></b> , by leaving the judicial district without first securing permission of the probation officer. On or about April 21, 2003, the supervised releasee traveled to San Jose, Costa Rica, under the name of Ricardo Garcia, without first securing permission from the Court, as evidenced by U.S. Customs records. The supervised releasee returned to MIA on or about April 24, 2003.
7.	<b><u>Violation of Standard Condition</u></b> , by leaving the judicial district without first securing permission of the probation officer. On or about May 21, 2003, the supervised releasee traveled to San Jose, Costa Rica, under the name of Ricardo Garcia, without first securing permission from the Court, as evidenced by U.S. Customs records. The supervised releasee returned to MIA from Panama on or about May 22, 2003.

PROB 12C  
(SD/FL 9/96)

SD/FL PACTS No. 39678

8. **Violation of Standard Condition**, by leaving the judicial district without first securing permission of the probation officer. On or about May 22, 2003, the supervised releasee traveled outside the continental United States, under the name of Ricardo Garcia, without first securing permission from the Court. The supervised releasee returned to MIA from San Jose, Costa Rica on May 23, 2003.
9. **Violation of Standard Condition**, by leaving the judicial district without first securing permission of the probation officer. On or about June 30, 2003, the supervised releasee traveled outside the continental United States, under the name of Ricardo Garcia, without first securing permission from the Court, as evidenced by U.S. Customs records. He returned to MIA from Costa Rica on or about June 30, 2003.
10. **Violation of Standard Condition**, by failing to notify the probation office of any change in residence. From approximately March 2002 through approximately August 2002, the defendant rented a residence located at 5005 Collins Avenue, Apt. 314, Miami Beach, Florida 33140. He rented the home under the name of Ricardo Garcia, and did not notify the probation officer about this residence.
11. **Violation of Standard Condition**, by associating with a person who is a convicted felon without the permission of the U.S. Probation Officer. The supervised releasee knowingly associated with Domingo Gonzalez, W/M, 07/22/62, FBI No. 2253045NA1, convicted in the Southern District of Florida on May 19, 1992 in Docket No. 91CR10021-King. He had been charged with Distribution of Cocaine and sentenced to 292 months. On March 22, 2000, the sentence was reduced to 113 months.
12. **Violation of Standard Condition**, by failing to submit truthful and complete written monthly reports. The defendant was listed as the corporate contact individual, under the name of Ricardo Garcia, for the company known as Pharma-Medical. Since approximately June 25, 2002 through March 2003, the supervised releasee's monthly reports contained false information relative to his employment with Pharma-Medical.
13. **Violation of Standard Condition**, by failing to submit truthful and complete written monthly reports. From approximately June 25, 2002 through March 2003, the supervised releasee's monthly reports contained false information relative to his income, including banking information, as the supervised releasee had authority signature for the Pharma-Medical Corporate Bank account, Citizen's National Bank, under the name of Ricardo Garcia.

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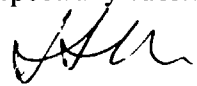
14. **Violation of Standard Condition**, by failing to submit truthful and complete written monthly reports. A check with the Florida Department of State, Division of Corporations reveals that on or about October 8, 2001, the supervised releasee opened a corporation named Emerging Ventures and he failed to disclose the information to the probation office. This corporation remains active.

U.S. Probation Officer Recommendation:

- ☒ The term of supervision should be revoked.  
☐ extended for \_ years, for a total term of \_ years.  
☐ The conditions of supervision should be modified as follows:

Respectfully submitted,

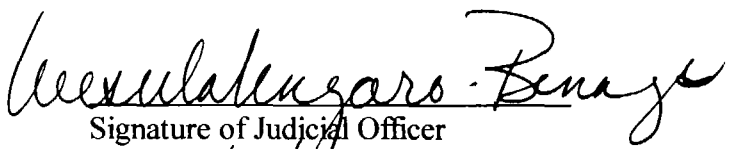
by

  
Sheila Stanfield  
U.S. Probation Officer  
Phone: (305) 412-2319  
Date: July 11, 2003

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THE COURT ORDERS:

- ☐ No Action  
☐ The Issuance of a Warrant  
☐ The Issuance of a Summons  
☐ Submit a Request for Modifying the Conditions or Term of Supervision  
☒ Superseding Petition Accepted

  
Signature of Judicial Officer

  
Date